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| <b>Notice of Allowability</b> | Application No.          | Applicant(s)     |
|                               | 10/050,234               | MOORE, KEVIN E.  |
|                               | Examiner<br>PAUL T. CHIN | Art Unit<br>3652 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 2/9/04.
  2.  The allowed claim(s) is/are 1-6.
  3.  The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
  4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a)  All b)  Some\* c)  None of the:
      1.  Certified copies of the priority documents have been received.
      2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
- Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**
5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
    - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 06092004.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
  7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

PAUL T. CHIN  
PATENT EXAMINER

1. **An examiner's amendment** to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Linda D Wheeler on June 2, 2004.

The application has been amended as follows:

The sentence "The present invention is a continuation of Disclosure Document Number 489,125 filed on Feb. 22, 2001." Under the subtitle "RELATED APPLICATION" has been deleted and replaced with the word -- NONE --;

in the abstract (Appendix "B" filed February 9, 2004), line 2, the word "This" before "apparatus allow" has been changed to -- An industrial roll handling --; and

in the specification (Appendix A under "Appendix to Specification" filed February 9, 2004), on page 2, line 7, the phrase "Fig. 5" after "as seen in" has been changed to -- Fig. 6 --.

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*Drawings*

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: in Fig. 3, the reference number "17" has been changed to -- 27 -- (referring to "pin"). In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

3. The following is **an examiner's statement of reasons for allowance**:

The closed reference, **Strange (4,684,310)** shows a wheel handling apparatus having a truss body (20-23), an axle (13) attached to the truss body, a collar (52) attached to the end of the axle, a rotatable plate (60), and a pair of bearings (53,53). However, Strange (4,684,310) does not show *a triangular truss body, a means for locking the attachment legs to a machine, an inner barrel fixedly secured to the surface of the triangular truss body and further having a plurality of apertures, an outer barrel surrounding the inner barrel wherein the outer barrel is freely rotatable and having an aperture, and a plate coupled to the outer barrel, and a pin removably inserted through the aperture of the outer barrel and through one of the apertures in the inner barrel in combination with other structural limitations.*

**Okada (5,020,963)** (see Examiner's Reference Cited, PTO-892) shows a pair of attachment legs (11,11), a means (12) for locking the attachment to a forklift, a means (3,3) for securing a cylindrical object, and a plate (13) to secure the object. However, Okada (5,020,963) does not show *a triangular truss body, a pair of concealment plates, bearing casings, an axle, a collar, inner-and-outer-barrels, and a pin for alignment in combination with other structural limitations.*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL T. CHIN whose telephone number is (703) 305-1524. The examiner can normally be reached on MON-THURS (7:30 -6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EILEEN LILLIS can be reached on (703) 308-3248. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



PAUL T. CHIN  
Examiner  
Art Unit 3652